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### NOTICE OF ALLOWANCE AND FEE(S) DUE

YOUNG & THOMPSON 209 Madison Street Suite 500 Alexandria, VA 22314 02/07/2012 EXAMINER
POINT, RUFUS C

ART UNIT PAPER NUMBER

2612

DATE MAILED: 02/07/2012

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/590,882      | 02/13/2008  | Hitoshi Kitayoshi    | 8075-1107           | 2940             |

TITLE OF INVENTION: RF ID TAG DEVICE

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1740        | \$300               | \$0                  | \$2040           | 05/07/2012 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED.</u> SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

#### Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
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| indicated unless correcte<br>maintenance fee notifica  | ed belôw or directed oth<br>tions.                     | nerwise in Block 1, by (sock 1 for any change of address)  | a) specifying a new corres  | spondence address; a  | nd/or (b) indicating a sepa   | correspondence address as arate "FEE ADDRESS" for or domestic mailings of the   |  |
|--|--|--|---|---|---|---|--|
|  |  | • •  | Fee(  | (s) Transmittal. This<br>ers. Each additional :   | certificate cannot be used for paper, such as an assignme finalling or transmission.  | or any other accompanying<br>nt or formal drawing, must   |  |
| YOUNG & THOMPSON 209 Madison Street Suite 500 Alexandria, VA 22314   |  |  |   | Certi   | ficate of Mailing or Trans  | mission g deposited with the United st class mail in an envelope above, or being facsimile ate indicated below.                       |  |
|  |  |  |   |   |   | (Depositor's name)  |  |
|  |  |  |   |   |   | (Signature)   |  |
|  |  |  |   |   |   | (Date)  |  |
| APPLICATION NO.  | FILING DATE  |  | FIRST NAMED INVENTOR  |   | ATTORNEY DOCKET NO.   | CONFIRMATION NO.  |  |
| 10/590,882<br>TITLE OF INVENTION   | 02/13/2008<br>T: RF ID TAG DEVICE                      |  | Hitoshi Kitayoshi   |   | 8075-1107   | 2940  |  |
| APPLN. TYPE  | SMALL ENTITY   | ISSUE FEE DUE  | PUBLICATION FEE DUE   | PREV. PAID ISSUE  | FEE TOTAL FEE(S) DUE  | DATE DUE  |  |
| nonprovisional   | NO   | \$1740   | \$300   | \$0   | \$2040  | 05/07/2012  |  |
| EXAM   | IINER  | ART UNIT   | CLASS-SUBCLASS  | ]   |   |   |  |
| POINT, F   | RUFUS C  | 2612   | 340-572700  | •   |   |   |  |
| <ol> <li>Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</li> <li>Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</li> <li>"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</li> </ol> |  |  | or agents OR, alternative (2) the name of a single registered attorney or a 2 registered patent attolisted, no name will be                     | the names of up to 3 registered patent attorneys agents OR, alternatively,  the name of a single firm (having as a member a gistered attorney or agent) and the names of up to registered patent attorneys or agents. If no name is ted, no name will be printed. |   |   |  |
| PLEASE NOTE: Unl   | less an assignee is ident<br>h in 37 CFR 3.11. Comp    | ified below, no assignee   | T a substitute for filing an  (B) RESIDENCE: (CITY  | atent. If an assignee<br>assignment.<br>7 and STATE OR CC   | UNTRY)  | ocument has been filed for  |  |
| Please check the appropr   | riate assignee category or                             | categories (will not be p  | rinted on the patent):  | Individual 🖵 Corp   | poration or other private gro   | oup entity Government   |  |
| 4a. The following fee(s) are submitted:  ☐ Issue Fee ☐ Publication Fee (No small entity discount permitted) ☐ Advance Order - # of Copies  |  |  | A check is enclosed.  Payment by credit car  The Director is hereby   | rd. Form PTO-2038 is  | previously paid issue fee  s attached. the required fee(s), any de(enclose a  | ficiency, or credit any   |  |
|  | s SMALL ENTITY statt                                   | us. See 37 CFR 1.27.   |   |   | LENTITY status. See 37 Cl   |   |  |
| NOTE: The Issue Fee an interest as shown by the  | d Publication Fee (if req<br>records of the United Sta | uired) will not be accepte<br>ttes Patent and Trademark  | ed from anyone other than t<br>c Office.  | he applicant; a regist  | ered attorney or agent; or th   | ne assignee or other party in   |  |
| Authorized Signature   |  |  |   | Date  |   |   |  |
| Typed or printed name  |  |  |   | Registration No   |   |   |  |
| This collection of inform<br>an application. Confiden<br>submitting the complete<br>this form and/or suggesti<br>Box 1450, Alexandria, V<br>Alexandria, Virginia 223   | /irginia 22313-1450. DO                                | CFR 1.311. The informatic<br>U.S.C. 122 and 37 CFR<br>USPTO. Time will vary<br>rden, should be sent to the<br>NOT SEND FEES OR ( | on is required to obtain or r<br>1.14. This collection is est<br>depending upon the indiv<br>the Chief Information Office<br>COMPLETED FORMS TO | retain a benefit by the<br>timated to take 12 mi<br>vidual case. Any com<br>er, U.S. Patent and T<br>D THIS ADDRESS.  | public which is to file (and<br>nutes to complete, includin<br>ments on the amount of tir<br>ademark Office, U.S. Dept<br>SEND TO: Commissioner | by the USPTO to process) g gathering, preparing, and me you require to complete artment of Commerce, P.O. for Patents, P.O. Box 1450, |  |

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DATE MAILED: 02/07/2012

| APPLICATION NO.                | FILING DATE   | FILING DATE FIRST NAMED INVENTOR |                | CONFIRMATION NO. |  |
|--------------------------------|---------------|----------------------------------|----------------|------------------|--|
| 10/590,882                     | 02/13/2008    | Hitoshi Kitayoshi                | 8075-1107 2940 |                  |  |
| 466 75                         | 90 02/07/2012 |                                  | EXAM           | INER             |  |
| YOUNG & THOMPSON               |               |                                  | POINT, RUFUS C |                  |  |
| 209 Madison Stree<br>Suite 500 | Į.            |                                  | ART UNIT       | PAPER NUMBER     |  |
| Alexandria, VA 22              | 314           |                                  | 2612           |                  |  |

# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 828 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 828 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

### **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

| Examiner-Initiated Interview Summary   | 10/590,882 KITAYOSHI ET AL. |          | AL. |  |  |
|--|-----------------------------|----------|-----|--|--|
| Examiner-initiated interview Summary   | Examiner                    | Art Unit |     |  |  |
|  | RUFUS POINT                 | 2612     |     |  |  |
| All participants (applicant, applicant's representative, PTO personnel):   |                             |          |     |  |  |
| (1) <u>RUFUS POINT</u> .   | (3)                         |          |     |  |  |
| (2) <u>James Livingston, Jr</u> . (4)  |                             |          |     |  |  |
| Date of Interview: 01 February 2012.   |                             |          |     |  |  |
| Type:   Telephonic  Video Conference  Personal [copy given to:  applicant  | applicant's representative] |          |     |  |  |
| Exhibit shown or demonstration conducted: Yes If Yes, brief description:   | □ No.                       |          |     |  |  |
| Issues Discussed 101 112 102 103 Oth (For each of the checked box(es) above, please describe below the issue and detail  |                             |          |     |  |  |
| Claim(s) discussed: <u>21</u> .  |                             |          |     |  |  |
| Identification of prior art discussed:   |                             |          |     |  |  |
| Substance of Interview (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc)  |                             |          |     |  |  |
| The Office has proposed an Examiner's Amendment on Claim 21, line 9, whereby the words "N is odd" will be replaced with "N is an odd integer". Applicants have agreed to such changes in the claim.  |                             |          |     |  |  |
|  |                             |          |     |  |  |
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|  |                             |          |     |  |  |
|  |                             |          |     |  |  |
| Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.  |                             |          |     |  |  |
| <b>Examiner recordation instructions</b> : Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised. |                             |          |     |  |  |
| ☐ Attachment   |                             |          |     |  |  |
| /RUFUS POINT/<br>Examiner, Art Unit 2612   |                             |          |     |  |  |
|  |                             |          |     |  |  |

Application No.

Applicant(s)